

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOHN HARDY,

Plaintiff,

v.

BNSF RAILWAY COMPANY,  
a Delaware corporation,

Defendant.

NO. CV-10-5086-LRS

**ORDER GRANTING  
MOTION FOR PROTECTIVE  
ORDER**

**BEFORE THE COURT** is the Plaintiff's Motion For Protective Order (ECF No. 40). This motion was heard with telephonic oral argument on August 11, 2011 before the Honorable Magistrate Judge James P. Hutton. James K. Vucinovich, Esq., argued for Plaintiff. Jeremy Rogers, Esq. and William Montgomery, Esq., argued for Defendant.

For the reasons set forth at the hearing, the Motion For Protective Order (ECF No. 40) is **GRANTED with respect to the deposition of Dr. Keifer previously set for August 12, 2011 only.** Defendant will RE-SET Dr. Keifer's telephonic deposition for **August 18, 2011 at 9:00 a.m. PST.**

**IT IS SO ORDERED.** The District Executive is directed to enter this order and forward copies to counsel.

**DATED** this 11<sup>TH</sup> of August, 2011.

\_\_\_\_\_  
s/James P. Hutton  
JAMES P. HUTTON  
United States Magistrate Judge

**ORDER GRANTING MOTION  
FOR PROTECTIVE ORDER -1/1**